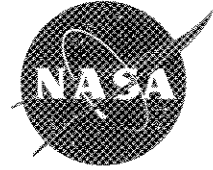


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



August 10, 2011

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at Events Co-located to the 2011 IT Summit

On Monday, August 15, 2011, the National Institute of Aerospace (NIA), a non-profit research and education institute, with co-sponsors the American Institute of Aeronautics and Astronautics (AIAA), Cisco, Dell, VMware, ESRI, Booze Allen Hamilton, CDW-G, Quest Software, Intel, Intelligent Decisions, IBM, Ciena, Sourcefire, Fishnet Security, ARSC Research & Technology Solutions LLC, NITAAC, EMC, Hewlett Packard, Tripwire, Apple, SEWP, ArcSight, DLT Solutions, Autodesk, Serena Software, CA Technologies, Feith Systems & Software, Inc., SGT, Lockheed Martin, Proofpoint, Amazon, Google, Adobe, The Ambit Group, Iron Bow Technologies, Aruba Networks, SAIC, NetWitness, Blue Coat, Grant Thornton, Veeam Software, Zoom Digital Signage, AT&T, MB Strategic, and Turning Technologies, will host a reception at the Marriott Marquis, in San Francisco, CA, from 6:30 PM – 8:00 PM.

The reception will be widely attended by employees from NASA and other Federal agencies, and representatives from industry, academia, nonprofit, and relevant professional societies. Approximately 1,700 people have been invited to attend. The estimated cost of the reception, which includes all food and beverages, is \$60.00 per person. I find that the reception meets the requirements of a "widely attended gathering," as defined in 5 C.F.R. § 2635.204(g)(2).

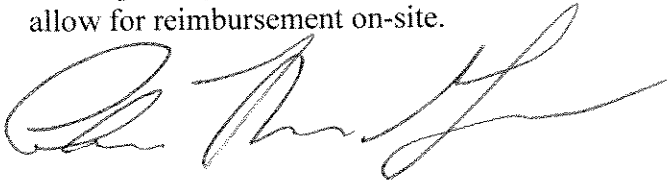
I have determined that free attendance at the above mentioned reception is in the interest of the Agency because it will further agency programs and operations. The event will provide NASA employees an opportunity to gain important information on emerging technologies and IT management practices, as well as discuss NASA programs with representatives of the communities participating in the reception. Accordingly, invited NASA employees and their invited guests, may accept free attendance at the event.

However, NASA employees whose duties may substantially affect the event sponsors listed above, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i), regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions in which Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the

cost of the reception. An "honor basket" will be provided by the sponsors to allow reimbursement on-site.

In addition to this reception, the same entities will be sponsoring a luncheon on Wednesday, August 17, 2011. The food and refreshments at this event have been determined to be less than \$20. Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), which provides that employees may accept gifts valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). NASA invitees should not accept any gifts, including food and beverage at an event, which exceed the \$20 cap (or the \$50 cap for the year). Moreover, employees in non-career positions for which Executive Order 13490 requires signing an ethics pledge will not be able to apply the \$20 exception for this event and should reimburse the sponsors for any cost of the food and beverages they consume. Employees are also reminded that it is never inappropriate and is frequently prudent for an employee to decline a gift offered because of his or her official position or by an entity that does business with NASA. The sponsors for this event will provide an "honor basket" to allow for reimbursement on-site.

A small reception for a more limited number of invitees will be hosted by Autodesk and sponsored by Intel on Sunday, August 14, 2011. Attendees are again reminded of the \$20 gift exception (and \$50 annual cap for each source). In particular, employees consuming more than \$20 worth of food and beverages at the VIP reception should reimburse the sponsors for the full cost of the food and beverages they consume. Moreover, employees in non-career positions for which Executive Order 13490 requires signing an ethics pledge will not be able to apply the \$20 exception for this event and should reimburse the sponsors for any cost of the food and beverages they consume. The sponsors for this event will also provide an "honor basket" to allow for reimbursement on-site.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', with a stylized, flowing script.

Adam F. Greenstone